 <b>Notice of Allowability</b>	Application No.	Applicant(s)	
	10/647,195	SEPULVEDA, RICHARD J.	
	Examiner	Art Unit	
	Frantz F. Jules	3617	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 01/13/2005.
2. ☒ The allowed claim(s) is/are 1,2,4-14,16-26 and 28-40.
3. ☒ The drawings filed on 25 August 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

**REASON FOR ALLOWANCE**

1. Drew discloses an apparatus comprising a wheel configured to rotate, a surface constituted by slot of member, a first member, the first member being coupled to the wheel at a first time when the first member moves in a first direction on the surface; and a second member configured to apply a force to the first member, the surface having an incline relative to a direction of movement of the second member. The first member including a pin. Fales et al discloses an apparatus comprising a drive a drive wheel mounted for rotation to the frame, a device for rotating the drive wheel to operate the power mechanism, a ratchet drive arm coupled to the wheel. Fujiwara et al disclose a an apparatus comprising a wheel configured to rotate, a surface, a pedal member configured to apply a force on a first member located in the surface. Jeffries discloses an apparatus comprising a wheel configured to rotate, a drive shaft for transferring the pedal actuated drive force from the pedal crankshaft to the rear wheel including shifting mechanism to provide different drive ratios, a ratchet coupled to the drive shaft. However, none of the references of record suggests an apparatus comprising a surface and a first ratchet, wherein a first member is configured to apply force to the wheel via the ratchet and a second member is configured to apply a force to the first member, said surface having an incline relative to a direction of movement of the second member in the manner defined in the instant claims 1, 13, 25, 35-39 and in combination with other limitations of the claims. Also, none of the references of record suggests a system comprising a first and a second ratchet, wherein means for applying force to the first longitudinal member to the wheel via the first ratchet at a first time is

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provided including means for applying force from the second longitudinal member to the wheel via the second ratchet at a second time in the manner defined in the instant claim 40 and in combination with other limitations of the claim. Therefore, claims 2, 4-11, 14, 16-24, 26, 28-34 depending therefrom, are considered to be allowable.

### ***Conclusion***

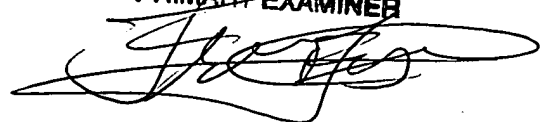
2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantz F. Jules whose telephone number is (703) 308-8780. The examiner can normally be reached on Monday-Thursday and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph S. Morano can be reached on (703) 308-0230. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Frantz F. Jules  
Primary Examiner  
Art Unit 3617

FRANTZ F. JULES  
PRIMARY EXAMINER



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FFJ

February 23, 2005